

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

January 6, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, December 9, 2008, pp.9-14**
- IV. Budget Amendments – Yes, pp.15-22**
- V. New Business, pp.27-59**
- VI. Continuing Business / Presentations**
 - A. Budget & Finance Committee, pp.60-61**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**
- X. Closed Session – Litigation**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Amend Section 8 of Ordinance No. 183-2008. (005-09) (Allen/Koch)
 This request will authorize an amendment to Section 8 of Ordinance No. 183-2008 to correct line number: 720. 10 1 123E *Director of Facilities and Fleet Management*, to read: 720. 10 1 **650** 123E *Director of Facilities and Fleet Management*, retroactive to July 8, 2008. There is no fiscal impact associated with this action.**p.27**
- B. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Law, Division of Risk Management, the Department of Finance and Administration, and the Divisions of Accounting and Human Resources. (011-09) (Allen/Koch)
 This request will authorize an amendment to Section 21-5 of the Code of Ordinances to transfer one (1) position of Risk Management Accountant (Grade 114E) (and incumbent) from the Division of Risk Management to the Division of Accounting, and amend Section 22-5 of the Code of Ordinances to transfer one (1) position of Administrative Specialist Sr. (Grade 112N) (and incumbent) from the Division of Accounting to the Division of Human Resources. This action is budget neutral.**p.28**
- C. Authorization to Accept an Award from the US Department of Housing and Urban Development for the Continuation of the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program. (016-09) (P. King/Koch)
 This request will authorize the acceptance of an award of federal funds in the amount of \$1,430,000 for the continuation of the HOPWA Program for an additional 3 years. The AIDS Volunteers, Inc. (AVOL) AIDS Housing Program provides permanent supportive and transitional housing services to persons living with HIV / AIDS.**p.29**
- D. Authorization of a Contract Amendment to the Neighborhood Action Match Agreement with Joyland Neighborhood Association. (017-09) (P. King/Koch)
 This request will authorize a Contract Amendment to the Neighborhood Action Match Agreement with Joyland Neighborhood Association for funds in the amount of \$3,500. Funds will be used for the installation of two (2) solar lights in the playground area of the park. The association has requested the completion date be extended to June 30, 2009, due to a fire that destroyed the playground.**pp.30-31**

- E. Authorization to Approve the Salary for the Temporary Appointment of Mary Fister as Acting Senior Advisor for Policy and Budget. (023-09) (Koch)
This request will authorize the approval of the salary for the temporary appointment of Mary Fister as Acting Senior Advisor for Policy and Budget. Her additional expertise and leadership is required for the 2010 budget process. Salary should be commensurate with that of the predecessor. This action meets the criteria under Ordinance 21-16.**p.32**
- F. Authorization of a Deed of Acceptance for a Temporary Construction Easement for the 3184 Trinity Road Storm Sewer Rehabilitation Project. (003-09) (Martin/Taylor)
This request will authorize a Deed of Acceptance at a cost of \$200 for 505 square feet of a temporary construction easement at 644 Wellington Way for the 3184 Trinity Road Storm Sewer Rehabilitation Project. Funds are budgeted.**p.33**
- G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (004-09) (Allen/Taylor)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create one (1) position of Environmental Program Manager (Energy) (Grade 117E) within the Division of Environmental Policy. The fiscal impact for FY2009 is \$26,439.41. The annual impact will be \$68,742.48. Funding was approved in the FY2009 Budget.**p.34**
- H. Authorization to Accept an Award from the Kentucky Infrastructure Authority for Expansion Area 2A Class A Pump Station and Trunk Sewer. (013-09) (P. King/Taylor)
This request will authorize the acceptance of an award of state funds in the amount of \$3,100,000 from the Kentucky Infrastructure Authority for the construction of the Expansion Area 2A, Class A, Pump Station and Trunk Sewer. Funds were approved by the 2008 Legislative Session of the Kentucky General Assembly. No matching funds are required.**p.35**
- I. Authorization to Accept an Award from the Department of Military Affairs, Kentucky Emergency Management Agency, for a Flood Mitigation Assistance Project. (014-09) (P. King/Taylor)
This request will authorize the acceptance of an award of federal funds in the amount of \$1,004,692.50 from the Kentucky Department of Military Affairs, Kentucky Emergency Management Agency, for a Flood Mitigation Assistance Project. Funds will be used to purchase and demolish nine (9) residential properties located on Ft. Sumter Drive, Cabot Drive, and Shandon Drive. A 25% (\$334,897.50) local match is required and will come from the Stormwater Budget. Total project cost is \$1,339,590.**p.36**

- J. Authorization to Accept an Award from the Kentucky Infrastructure Authority for the Leesway Underserved Areas Project. (015-09) (P. King/Taylor)
This request will authorize the acceptance of an award of state funds in the amount of \$600,000 from the Kentucky Infrastructure Authority for the Leesway Underserved Areas Project to provide sanitary sewer service to lower-income or elderly households. Funds were approved by the 2008 Legislative Session of the Kentucky General Assembly. No matching funds are required.**p.37**
- K. Authorization of an Environmental Assessment License Agreement with Marathon Petroleum Company LLC (MPC) to Determine if their Contamination Impacts the Old Frankfort Pike Landfill. (019-09) (Taylor)
This request will authorize the acceptance of an Environmental Assessment License Agreement with MPC, located at 1770 Old Frankfort Pike, to determine if a reported release by MPC has migrated to the Old Frankfort Pike Landfill located at 1631 Old Frankfort Pike. The agreement will allow MPC to perform soil and groundwater testing. The agreement is for 3 years.**pp.38-43**
- L. Authorization of an Amendment to a Consulting and Management Agreement with Fellon-McCord & Associates, Inc. on Behalf of the Department of Public Safety, Division of Community Corrections. (006-09) (Bishop/ Bennett)
This request will authorize an amendment to a Consulting and Management Agreement with Fellon-McCord & Associates, Inc. (a wholly-owned subsidiary of Constellation Energy Group, Inc.) to Fellon-McCord & Associates, LLC (privately owned) to assign and novate the Agreement on behalf of the Division of Community Corrections. There are no other changes associated with this amendment.**p.44**
- M. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Division of Community Corrections. (027-09) (Bishop/Bennett)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish six (6) positions of Community Corrections Major and create six (6) positions of Community Corrections Captain. All current Majors have requested voluntary demotion to the position of Captain. This also establishes a stipend for assignment of Bureau Manager for employees holding the permanent rank of Lieutenant or Captain for this special duty assignment at an additional \$350 per pay period. The fiscal impact for the remainder of FY2009 will be \$28,021.68. This action will be funded from the Division's Personnel Budget.**p.45**

- N. Authorization to Accept an Offer from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Emergency Management / 911, for Extension of the Portable Interoperable Communications Infrastructure Project. (007-09) (P. King/Bennett)
This request will authorize the acceptance of an offer from the Kentucky Office of Homeland Security to extend the Portable Interoperable Communications Tower Project within the Division of Emergency Management / 911, through June 30, 2009, for purchase of infrastructure and related equipment.**p.46**
- O. Authorization of an Agreement with the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police for Extension of the Mobile Data Computer Network Project. (008-09) P. King/Bennett)
This request will authorize an Agreement with the Kentucky Office of Homeland Security to extend the Mobile Data Computer Network Project on behalf of the Division of Police to June 30, 2009 for completion of the project. This project also includes local and state law enforcement agencies.**p.47**
- P. Authorization to Accept an Offer from the Kentucky Office of Homeland Security for Extension of the Regional 911 System Project. (009-09) (P. King/ Bennett)
This request will authorize the acceptance of an offer from the Kentucky Office of Homeland Security to extend the Regional 911 System Project within the Division of Emergency Management / 911 through June 30, 2009, to complete the designing, building, and implementation of a 911 Regional Infrastructure to connect Fayette, Jessamine and Woodford counties, and the University of Kentucky's 911 systems.**p.48**
- Q. Authorization of a Lease Agreement with US Bancorp Business Equipment Finance Group on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (010-09) (P. King/Bennett)
This request will authorize a Lease Agreement for a copier with US Bancorp Business Equipment Finance Group (financing agent) on behalf of the Division of Emergency Management / 911. The lease is for 36 months at \$354.80 per month at an annual cost of \$4,257.60 for a 3-year cost of \$12,772.80 under a state price contract. Federal funds for the Agreement are from the Chemical Stockpile Emergency Preparedness Grant – FY2007. Under this grant, equipment cannot be purchase but must be leased. Funding for the 2nd and 3rd years will come from the same grant program.**p.49**

- R. Authorization to Submit Application to the US Department of Homeland Security, Federal Emergency Management Agency on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, for Two (2) Fire Prevention and Safety Projects. (021-09) (P. King/Bennett)
This request will authorize the submission of an application for federal funds in the amount of \$14,000 to the US Department of Homeland Security, FEMA, on behalf of the Division of Fire and Emergency Services for two (2) Fire Prevention and Safety Projects.
- The first project request is for \$4,000 to initiate a Juvenile Firesetter Program to reduce fires set by juveniles within Fayette County. The Division's Fire Prevention Program's Public Educator will work with area fire service members on this project. A local match of 20% (\$1,000) will come from the FY2009 General Fund Budget. Total project cost is \$5,000.
 - The second project request is for \$7,200 to purchase a controllable propane fueled fire extinguisher training equipment and extinguisher training videos. A local match of 20% (\$1,800) is required and will come from the General Fund Budget.**p.50**
- S. Authorization to Submit Application to the Kentucky State Police on Behalf of the Department of Public Safety, Division of Police, for the Enforcing Underage Drinking Laws (EUDL) Program. (022-09) (P. King/Bennett)
This request will authorize the submission of an application for federal funds in the amount of \$40,468 to the Kentucky State Police for operation of the EUDL Program on behalf of the Division of Police. This program will provide additional police officers during peak business hours to conduct investigations, provide education / awareness campaigns on underage drinking, cite intoxicated minors, and cite business owners and employees who sell alcoholic beverages to minors or allow the purchase and consumption of alcoholic beverages by minors under the age of 21. Funds will be used for overtime pay. The source of federal funds is the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention. No matching funds are required.**p.51**
- T. Authorization of a Memorandum of Understanding (MOU) with the District Fugitive Task Force (DTF) of the United States Marshals Service (USMS) on Behalf of the Department of Public Safety, Division of Police. (020-09) (Bastin/Bennett)
This request will authorize a MOU with the DTF of the USMS to continue the Division of Police's participation in the Fugitive Apprehension Task Forces pursuant to the Presidential Threat Protection Act of 2000.**p.52**

- U. Authorization to Accept Donations from the Kentucky Division of Emergency Management on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (028-09) (Dugger/Bennett)
This request will authorize the acceptance of 150 Child Decontamination Kits and 15 Con-Space voice amplification units, headsets, interface cables, and pelican cases from the Kentucky Division of Emergency Management on behalf of the Division of Emergency Management / 911. The items will be transferred to LFUCG as part of a spending package through the Chemical Stockpile Emergency Preparedness Program.**p.53**
- V. Authorization to Accept a Donation from the American Water Company on Behalf of the Dunbar Community Center. (002-09) (Hancock/Cole)
This request will authorize the acceptance of a donation of \$500 from the American Water Company on behalf of the Dunbar Community Center to be used towards the purchase of a treadmill.**p.54**
- W. Authorization of a GEI Calgraph Service Agreement on behalf of the Department of General Services, Division of Parks and Recreation. (012-09) (Hancock/Cole)
This request will authorize a GEI Calgraph Service Agreement in the amount of \$1,720 on behalf of the Division of Parks and Recreation for maintenance and repairs of a Falcon OD 62 GEI Calgraph graphic machine. Funds are budgeted.**p.55**
- X. Authorization to Submit an Application to the Kentucky Transportation Cabinet on Behalf of the Department of Public Works and Development, Division of Planning, for the Freight Study. (018-09) (P. King/Webb)
This request will authorize the submission of an application for federal funds in the amount of \$132,000 to the Kentucky Transportation Cabinet on behalf of the Division of Planning. Funds will be used to update the Freight Study performed in 1979. A 20% (\$33,000) local match is required and will be requested in the FY2010 General Fund Budget. Total cost of the study is estimated at \$165,000.**p.56**
- Y. Authorization of a Right-of-Way Encroachment Agreement with the Transit Authority of the Lexington-Fayette Urban County Government (LexTran), Art in Motion, Inc. and LFUCG. (024-09) (Askew)
This request will authorize a Right-of-Way Encroachment Agreement with LexTran, Art in Motion, Inc. and LFUCG for LexTran and Art in Motion, Inc. to erect a bus shelter in the public right-of-way at 1306 Versailles Rd. The terms and conditions for placement of this bus shelter are set forth in a Memorandum of Agreement pursuant to Resolution No. 683-2007. There is no budgetary implication for LFUCG.**p.57**

- Z. Authorization to Allow the Commissioner of Public Works and Development, to Execute the Right-of-Way Encroachment Agreement with the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) for Placement of a Bus Shelter at 845 Red Mile Rd. and Authorize the Commissioner to Execute Future Encroachment Agreements with LexTran Regarding Bus Shelters. (025-09) (Askew)

This request will authorize Commissioner authorization to execute the Right-of-Way Encroachment Agreement with LexTran to erect a bus shelter in the public right-of-way at 845 Red Mile Rd. There is no budgetary implication for LFUCG. This will also authorize the Commissioner to execute future encroachment agreements with LexTran regarding bus shelters. The Department established a Technical Review Committee to oversee proper placement of shelters in public-right-of-ways pursuant to Resolution No. 313-2008. This authorization for the Commissioner to sign future encroachment agreements is consistent with the procedure in the Subdivision Regulations.**p.58**

- AA. Authorization of an Addendum to Master Agreement with Computer Sciences Corporation (CSC). (026-09) (Askew)

This request will authorize an Addendum to a Master Agreement with CSC for third-party software license protection at no cost to LFUCG. This Addendum is in preparation of a software upgrade to the RiskMaster claims database.**p.59**